

AMENDED IN ASSEMBLY JUNE 21, 2005

AMENDED IN SENATE APRIL 13, 2005

**SENATE BILL**

**No. 436**

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**Introduced by Senator Migden**

February 17, 2005

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An act to amend Section 10609.4 of the Welfare and Institutions Code, relating to foster care, *and making an appropriation therefore.*

LEGISLATIVE COUNSEL'S DIGEST

SB 436, as amended, Migden. Foster care: transitional housing.

Existing law provides that a person less than 21 years of age who has emancipated from a county that has elected to participate in a transitional housing placement program for youths between 18 and 21 years of age who meet certain conditions, shall also be eligible for a county transitional housing placement program that provides supervised housing services.

Existing law establishes the Transitional Housing for Foster Youth Fund, which is continuously appropriated for purposes of paying the state share of the cost relating to transitional housing services for eligible emancipated foster youth.

Existing law requires the department to develop statewide standards for the Independent Living Program for emancipated foster youth established pursuant to federal law. Under existing law, a county department of social services is required to prepare an annual Independent Living Program report on the county's implementation of the program.

This bill would require the county department of social services in a county that provides transitional housing placement services to include in its annual Independent Living Program report a description of currently available transitional housing resources in relation to the

number of emancipating pregnant or parenting foster youth in the county, and a plan for meeting any unmet transitional housing needs of the emancipating pregnant or parenting foster youth.

*This bill would transfer \$250,000 from the General Fund to the continuously appropriated Transitional Housing For Foster Youth Fund for expenditure for the transitional housing purposes of pregnant or parenting emancipated foster youth.*

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: ~~no~~<sup>yes</sup>. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 10609.4 of the Welfare and Institutions  
2 Code is amended to read:

3 10609.4. (a) On or before July 1, 2000, the State Department  
4 of Social Services, in consultation with county and state  
5 representatives, foster youth, and advocates, shall do both of the  
6 following:

7 (1) Develop statewide standards for the implementation and  
8 administration of the Independent Living Program established  
9 pursuant to the federal Consolidated Omnibus Budget  
10 Reconciliation Act of 1985 (Public Law 99-272).

11 (2) Define the outcomes for the Independent Living Program  
12 and the characteristics of foster youth enrolled in the program for  
13 data collection purposes.

14 (b) Each county department of social services shall include in  
15 its annual Independent Living Program report both of the  
16 following:

17 (1) An accounting of federal and state funds allocated for  
18 implementation of the program. Expenditures shall be related to  
19 the specific purposes of the program. Program purposes may  
20 include, but are not limited to, all of the following:

21 (A) Enabling participants to seek a high school diploma or its  
22 equivalent or to take part in appropriate vocational training, and  
23 providing job readiness training and placement services, or  
24 building work experience and marketable skills, or both.

25 (B) Providing training in daily living skills, budgeting,  
26 locating and maintaining housing, and career planning.

27 (C) Providing for individual and group counseling.

1 (D) Integrating and coordinating services otherwise available  
2 to participants.

3 (E) Providing each participant with a written transitional  
4 independent living plan that will be based on an assessment of  
5 his or her needs, that includes information provided by persons  
6 who have been identified by the participant as important to the  
7 participant in cases in which the participant has been in  
8 out-of-home placement in a group home for six months or longer  
9 from the date the participant entered foster care, consistent with  
10 the participant's best interests, and that will be incorporated into  
11 his or her case plan.

12 (F) Providing participants with other services and assistance  
13 designed to improve independent living.

14 (G) Convening persons who have been identified by the  
15 participant as important to him or her for the purpose of  
16 providing information to be included in his or her written  
17 transitional independent living plan.

18 (2) A detail of the characteristics of foster youth enrolled in  
19 their independent living programs and the outcomes achieved  
20 based on the information developed by the department pursuant  
21 to subdivision (a).

22 (c) The county department of social services in a county that  
23 provides transitional housing placement services pursuant to  
24 paragraph (2) of subdivision (a) of Section 11403.2 shall include  
25 in its annual Independent Living Program report a description of  
26 currently available transitional housing resources in relation to  
27 the number of emancipating pregnant or parenting foster youth in  
28 the county, and a plan for meeting any unmet transitional housing  
29 needs of the emancipating pregnant or parenting foster youth.

30 (d) In consultation with the department, a county may use  
31 different methods and strategies to achieve the standards and  
32 outcomes of the Independent Living Program developed pursuant  
33 to subdivision (a).

34 (e) In consultation with the County Welfare Directors  
35 Association, the California Youth Connection, and other  
36 stakeholders, the department shall develop and adopt emergency  
37 regulations in accordance with Section 11346.1 of the  
38 Government Code that counties shall be required to meet when  
39 administering the Independent Living Program and that are  
40 achievable within existing program resources. The initial

1 adoption of emergency regulations and one readoption of the  
2 initial regulations shall be deemed to be an emergency and  
3 necessary for the immediate preservation of the public peace,  
4 health and safety, or general welfare. Initial emergency  
5 regulations and the first readoption of those regulations shall be  
6 exempt from review by the Office of Administrative Law. The  
7 initial emergency regulations and the first readoption of those  
8 regulations authorized by this subdivision shall be submitted to  
9 the Office of Administrative Law for filing with the Secretary of  
10 State and each shall remain in effect for no more than 180 days.

11 *SEC. 2. The sum of two hundred fifty thousand dollars*  
12 *(\$250,000) is hereby transferred from the General Fund to the*  
13 *continuously appropriated Transitional Housing For Foster*  
14 *Youth Fund for expenditure for the transitional housing purposes*  
15 *of pregnant or parenting emancipated foster youth.*